- , ,	Application No.	Applicant(s)
	09/890,742	YAMAKAWA ET AL.
Notice of Allowability	Examiner	Art Unit
	Jenna-Leigh Befumo	1771
The MAILING DATE of this communication app All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT F of the Office or upon petition by the applicant. See 37 CFR 1.31	or other appropriate communities. This application is suand MPEP 1308.	pication will be mailed in due course. THIS
1. $igtimes$ This communication is responsive to ${\it the Interview of Apri.}$	<u>/ 23,2004</u> .	
2. \boxtimes The allowed claim(s) is/are <u>4 and 5</u> .		
3. \square The drawings filed on are accepted by the Examin		
 4.		r (f).
2. Cortified copies of the priority documents ha	e been received in Application	n No
Copies of the certified copies of the priority d	ocuments have been received	I in this national stage application from the
International Bureau (PCT Rule 17.2(a)).		
* Certified copies not received:	*	
Applicant has THREE MONTHS FROM THE "MAILING DATE noted below. Failure to timely comply will result in ABANDON THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. A SUBSTITUTE OATH OR DECLARATION must be substituted in the substitute of the substitute	IMEN I OI IIIS application.	
5. [] A SUBSTITUTE OATH OR DECLARATION must be sub INFORMAL PATENT APPLICATION (PTO-152) which g	ives reason(s) why the oath or	declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") m	ust be submitted.	(DTO 040) attached
(a) ☐ including changes required by the Notice of Draftspe	erson's Patent Drawing Review	γ (P10-948) attached
1) hereto or 2) to Paper No./Mail Date		r in the Office action of
(b) ☐ including changes required by the attached Examine Paper No./Mail Date Identifying indicia such as the application number (see 37 CFI		
each sheet. Replacement sheet(s) should be labeled as such i	If the header according to or o.	
DEPOSIT OF and/or INFORMATION about the de attached Examiner's comment regarding REQUIREMEN	posit of BIOLOGICAL MAT	ERIAL must be submitted. Note the
Attachment(s) 1. ☑ Notice of References Cited (PTO-892)		nformal Patent Application (PTO-152)
2. Notice of Draftperson's Patent Drawing Review (PTO-94	8) 6. Interview S	Summary (PTO-413), ./Mail Date
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/S	1 aper 140	s Amendment/Comment
Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Depos	sit 8. ⊠ Examiner's 9.	s Statement of Reasons for Allowance
of Biological Material	0. <u></u>	

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DETAILED ACTION

Response to Amendment

- 1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
- 2. The Amendment submitted on March 19, 2004, has been entered. Claims 1-3 have been cancelled. Claims 4-5 have been added. Therefore, the pending claims are 4-5.
- 3. The amendment is sufficient to overcome the 35 USC 112 rejections since the claims include composition limitations and method limitations which further define the structure of the final product. Further, the claims are now commensurate in scope with the product taught -described in the disclosure.

Reasons for Allowance

- 4. The following is an examiner's statement of reasons for allowance:
- 5. The prior art fails to teach a nonwoven fabric made from polyurethane filaments produced by dehydrating a polyurethane elastomer having a Shore A hardness of not less than 92 to reduce the moisture content to no more than 150 ppm, then fusing the filaments together to form the nonwoven fabric. While Muramoto et al. (5,308,697) and Yamakawa et al. (6,248,445) disclose it is known to make polyurethane filaments from polyurethane material having a Shore A hardness of not less than 92, the prior art fails to teach dehydrating the polymer to a certain moisture content or laminating the film at a temperature 35°C lower than the Vicat softening temperature.

As shown in the examples and the comparative examples set forth in the disclosure, the nonwoven fabric will not have the claimed properties unless the Shore A hardness, moisture content, and laminating temperature are controlled as claimed. Therefore, claims 4 and 5 are



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allowable since the prior art fails to teach or fairly suggest controlling the moisture content and the laminating temperature of the material during processing.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenna-Leigh Befumo whose telephone number is (571) 272-1472. The examiner can normally be reached on Monday - Friday (8:00 - 5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on (571) 272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jenna-Leigh Befumo

April 28, 2004

CHERYL A JUSKA